
**Tempe City Council
December 6, 2007**

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Councilmember Shekerjian
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – October 25, 29 & November 8, 2007
 2. Council's Issue Review Session – November 8, 2007 [20071206clrkck03.pdf](#)
 3. Council's Formal Meeting – November 8, 2007 [20071206clrkck04.pdf](#)
 4. Council's Central City Development Committee of the Whole – November 8, 2007 [20071206clrkck05.pdf](#)
 5. Council's Education, Technology & Economic Development Committee – September 4 & October 2, 2007 [20071206eted01.pdf](#) [20071206eted02.pdf](#)
 6. Council's Finance, Economy & Veterans Affairs Committee – October 16, 2007 [20071206feva01.pdf](#)
 7. Council's Transportation, Housing & Environment Committee – October 30, 2007 [20071206thec01.pdf](#)
 8. Council's Joint Dinner with Tempe Chamber of Commerce – October 30, 2007 [20071206clrkck01.pdf](#)
 9. Council's Calendar Meeting – November 8, 2007 [20071206clrkck02.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 10. Apache Boulevard Project Area Committee – October 8, 2007 [20071206apac01.pdf](#)
 11. Aviation Commission – October 18, 2007 [20071206tavco01.pdf](#)
 12. Commission on Disability Concerns – October 16, 2007 [20071206cdc01.pdf](#)
 13. Committee for Youth, Families & Community – October 15, 2007 [20071206cyfc01.pdf](#)
 14. Development Review Commission – October 9, 2007 [20071206drc01.pdf](#)
 15. Hearing Officer – October 16 & November 6, 2007 [20071206ho01.pdf](#) [20071206ho02.pdf](#)
 16. Historic Preservation Commission – September 18 & October 16, 2007

- [20071206hpc01.pdf](#) [20071206hpc02.pdf](#)
17. Historical Museum Advisory Board – October 4, 2007 [20071206csjc01.pdf](#)
 18. Human Relations Commission – September 11, 2007 [20071206hrc01.pdf](#)
 19. Judicial Advisory Board – November 15, 2007 [20071206jab01.pdf](#)
 20. Library Advisory Board – October 1, 2007 [20071206lab01.pdf](#)
 21. Mayor's Youth Advisory Commission – October 16 & November 6, 2007
[20071206myac01.pdf](#) [20071206myac02.pdf](#)
 22. Tempe Sports Authority – October 17, 2007 [20071206tsa01.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
- B. Manager's Announcements

5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

23. Approval of an Intergovernmental Agreement between the Pascua Yaqui Tribe, Tempe Union High School District # 213 and the City of Tempe for the Academic Achievement Program.

COMMENTS: A grant in the amount of \$50,000 through the Tribal-State Gaming Compact.

DOCUMENT NAME: [20071206cskb01.pdf](#) TEMPE UNION HIGH SCHOOL DISTRICT (0109-140)

APPROVED

24. Request authorization and consent for Triyar Hospitality, LLC to assign certain rights and privileges under the Playa del Norte Development Parcel Agreement - Parcel No. 6 to Irgens Development, LLC

DOCUMENT NAME: [20071206cdnc01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03)**

APPROVED

25. Request approval of a revised Maintenance Agreement for The Pier at Town Lake Improvement District No. 180.

DOCUMENT NAME: [20071206PWCH09.pdf](#) **IMPROVEMENT (ASSESSMENT) DISTRICTS (0805-80), IMPROVEMENT DISTRICT I.D. 180, PROJECT NO. 5103011.**

APPROVED

26. This a request for a Subdivision Plat for HOLOUALOA OF TEMPE CAMPUS, located at 2927 South Hardy Drive.

COMMENTS: (PL070250) (Huellmantel & Affiliates, Charles Huellmantel, applicant), located at 2927 South Hardy Drive, in GID, General Industrial District, the request includes the following:

SBD07023 - Subdivision plat, lot split on 4.082 net acres lot.

DOCUMENT NAME: [20071206dsjc03.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

27. This is a request for an Amended Subdivision plat for YUCCA JUNIOR, located at 23 West Southern Avenue.

COMMENTS: (PL070415) (Pomykala Andrea, owner; Tanner Grossmiller, On Call Constructions, applicant) located at 23 West Southern Avenue in the CSS, Commercial Shopping and Services District, this includes the following request:

SBD07039 – Amended Subdivision Plat of property (building) to adjust lot lines which consist of 8,359 s.f. building.

DOCUMENT NAME: [20071206dsjc01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

28. This is a request for an Amended Subdivision Plat for DORSEY AND APACHE PARK & RIDE located at 1306 East Apache Boulevard.

COMMENTS: (PL070064) (City of Tempe / Public Works / Light Rail Division owner; Raul Vidal, Public Works, applicant) located at 1306 East Apache Boulevard, in the CSS, Commercial Shopping and Services District, including the following request:

SBD07034 – Amended Subdivision Plat of three (3) lots into one (1) lot, 1.433 acres.

DOCUMENT NAME: [20071206dsjc05.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

APPROVED

29. This request for a Subdivision Plat for ENCLAVE ON PRIEST located at 1616 South Priest Drive.

COMMENTS: (PL060454) (Priestly Properties, Inc., Tom Kowalski, property owner / Hunter Engineering, Larry Talbott, applicant) located at 1616 South Priest Drive, in the GID, General Industrial District for:

SBD07033 – Subdivision Plat combining seven (7) lots into one (1) lot on 9.98 acres.

DOCUMENT NAME: [20071206dsjc04.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

APPROVED

30. This is a request for an Amended Subdivision Plat for FAIRMONT BUSINESS PARK, located at 1016 West Geneva Drive.

COMMENTS: (PL070260) (Tempe FBP Partners / Dave Clark owner; Robert Robinson, Huitt - Zoliars, applicant) located at 1016 West Geneva Drive, in the GID, General Industrial District, the request includes the following:

SBD07034 – Amended Subdivision Plat for one (1) lot into five (5) lots and A Tract, 3.354 acres.

DOCUMENT NAME: [20071206dsjc02.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

APPROVED

31. This is a request for a Final Subdivision Plat for WEST RIO SALADO located at 1850 West Rio Salado Parkway.

COMMENTS: (PL070013) (City of Tempe, property owner; Brady - Aulerich & Associates, applicant) located at 1850 West Rio Salado Parkway, in the GID, General Industrial District. This request includes the following:

SBD07001 – Final Subdivision Plat for four (4) lots totaling +/-127.02 gross acres.

DOCUMENT NAME: [20071206dsrl03.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

APPROVED

32. Request for a Final Subdivision Plat for WALGREENS drug store #11610 located at 2000 South Mill Avenue.

COMMENTS: (PL070082) (Bruce Shapiro (managing member), BMILL, L.L.C., owner; Steve Bowser, Metro/Land Consultants, L.L.C., applicant) for a Final Subdivision Plat on +/- 1.67 net acres located at 2000 South Mill Avenue in the CSS, Commercial Shopping and Services District, including the following:

SBD07044 – Final Subdivision Plat to combine the property into one lot including the dedication of additional right of way on existing street **to the public.**

DOCUMENT NAME: [20071206dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *33. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Liquor License for Fresh & Easy Neighborhood Market Inc., dba Fresh and Easy Neighborhood Market, 425 West Baseline Road.

COMMENTS: Randy Nations, Agent

DOCUMENT NAME: [20071206LIQ2.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *34. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for DIZ LLC, dba D'Arcy McGee's Restaurant – Pub, 2000 East Rio Salado Parkway, #1220.

COMMENTS: Michael Dizzinno, Agent

DOCUMENT NAME: [20071206LIQ1.pdf](#) **LIQ LIC (0210-02)**

APPROVED

B. Award of Bids/Contracts

35. Request approval of an addendum to a professional services contract with Superstition Foothills Consulting Services Inc., for the AGL Networks Telecommunications Phase I.

COMMENTS: Subject to the execution of the final written addendum for an amount not to exceed \$43,000.

DOCUMENT NAME: [20071206PWCH01.pdf](#) **AGL NETWORKS (0802-27)**
PROJECT NO. 6704061

APPROVED

36. Request approval of a professional services contract with Wilson Engineers for Kyrene Water Reclamation Facility – Permitting of Reclaimed Water to Tempe Town Lake.

COMMENTS: Professional services contract in an amount not to exceed \$45,400,

conditioned upon execution of the final written documents.

DOCUMENT NAME: [20071206PWCH05.pdf](#) WATER MASTER PLAN (0811-14) PROJECT NO. 3201602

APPROVED

37. Request approval of professional services contract addenda with URS Corporation and OTAK, Inc., and approval of a change order contingency increase for the Tempe Transportation Center.

COMMENTS: Addendum to a professional services contract with URS Corporation for an amount not to exceed \$430,565 and an addendum to a professional services contract with OTAK, Inc. for an amount not to exceed \$263,383, both subject to the execution of the final written addenda, plus a construction change order contingency increase of \$229,717.

DOCUMENT NAME: [20071206PWCH11.pdf](#) TRANSPORTATION PLANNING (1101-01) PROJECT NO. 60-976762

APPROVED

38. Request approval of a professional engineering services contract with Wilson Engineers, for the Sub-Regional Operating Group (SROG) Capacity Management Facilities.

COMMENTS: Professional engineering services contract in an amount not to exceed \$80,000, subject to execution of the final written contract.

DOCUMENT NAME: [20071206PWCH12.pdf](#) SUB-REGIONAL OPERATING GROUP (SROG) (0107-05) PROJECT NO. 3200592

APPROVED

39. Request approval of a professional services design contract with J2 Engineering & Environmental Design for Clark Park Master Plan.

COMMENTS: Professional design services contract in the amount of \$43,549, subject to execution of the final written contract.

DOCUMENT NAME: [20071206PWCH13.pdf](#) CLARK PARK (0706-06) PROJECT NO. 6305061

APPROVED

40. Request approval of a professional design services contract with Sunrise Engineering, Inc. Bus Bay Improvements 2007-2008.

COMMENTS: Professional design services contract in an amount not to exceed \$138,400, subject to execution of the final written contract.

DOCUMENT NAME: [20071206PWCH14.pdf](#) TRANSPORTATION (1100)
PROJECT NO. 6001233

APPROVED

41. Request to award multi-term construction contracts to Sunland Asphalt, J. Banicki Construction, and Cactus Asphalt to perform on-call job order contracting for Paving and Resurfacing of Streets and City Facilities.

COMMENTS: Multi-term construction contracts for an annual amount not to exceed \$4,000,000 and an individual job order amount not to exceed \$1,000,000 with Sunland Asphalt, J. Banicki Construction, and Cactus Asphalt, subject to execution of the final written contracts.

DOCUMENT NAME: [20071206PWMV10.pdf](#) ENGINEERING
ADMINISTRATION (803-02) PROJECT NO. 5406011

APPROVED

42. Request award of a construction contract to Southwest Micro Surfacing LLC and approval of a construction change order contingency for Major Street Renovation 2008-2010.

COMMENTS: Construction contract in the amount of \$1,147,198, subject to execution of the final written contract and a construction change order contingency of \$147,000.

DOCUMENT NAME: [20071206PWMV03.pdf](#) STREET UPGRADING –
MAINTENANCE – CONSTRUCTION (0809-05) PROJECT NO. 5401642

APPROVED

43. Request award of a construction contract to CPC Construction, Inc., and approve a construction change order allowance for Minor Concrete Improvements 2008-2010 and On-Call Maintenance, Repairs or Grading.

COMMENTS: Request award of a construction contract in the amount of \$591,660, subject to execution of the final written contract, plus the approval of a construction change order allowance in the amount of \$80,000.

DOCUMENT NAME: [20071206PWMV04.pdf](#) STREET UPGRADING-MAINT-
CONSTRUCTION (0809-05) PROJECT NO. 5401413

APPROVED

44. Request approval of a twelve month construction contract extension with Swaine Asphalt Corporation for Speed Humps at Various Locations.

COMMENTS: Twelve month construction contract extension in an amount not to

exceed \$75,000, subject to execution of the final written amendment.

DOCUMENT NAME: [20071206PVMV06.pdf](#) STREET UPGRADING-MAINT-
CONSTRUCTION (0809-05), PROJECT NO. 5400942

APPROVED

45. Request to award a three-year contract with two, one-year renewal options to All City Towing for towing services.

COMMENTS: (RFP #08-039) Total cost for this contract shall not exceed \$900,000, including \$60,000 for city tows, during the initial contract period.

DOCUMENT NAME: [20071206fsta04.pdf](#) PURCHASES (1004-01)

PULLED BY STAFF

46. Request to award a one-year, sole source contract to Allegiant Technology for the BMC Help Desk Software upgrade and purchase of Asset Management Module.

COMMENTS: (Sole Source #T08-099) Total cost of this contract shall not exceed \$160,000 during the contract period.

DOCUMENT NAME: [20071206fsts06.pdf](#) PURCHASES (1004-01)

APPROVED

47. Request to award a two-year contract with three, one-year renewal options to Western Refining Wholesale for vehicle fuel.

COMMENTS: (RFP #08-073) Total cost for this contract shall not exceed \$5,000,000 during the initial contract period.

DOCUMENT NAME: [20071206fsta05.pdf](#) PURCHASES (1004-01)

APPROVED

48. Request approval of a seven-month extension of a contract with Mariposa Horticultural Enterprises for landscape maintenance services.

COMMENTS: (T03-109-01) Total amount not to exceed \$420,000.

DOCUMENT NAME: [20071206fslq03.pdf](#) PURCHASES (1004-01)

APPROVED

49. Request approval to increase the contract amount with Truly Every Assignment Matters LLC (T.E.A.M. Security) and EStaff Security, Inc., for security services.

COMMENTS: (T07-141-01 and T07-141-02) Increase in the amount of \$175,000 from \$50,000 to \$225,000.

DOCUMENT NAME: [20071206fslg02.pdf](#) PURCHASES (1004-01)

APPROVED

50. Request approval of a one-year renewal of a contract with East Valley Uniforms for employee uniforms.

COMMENTS: (T07-091-01) Total amount not to exceed \$45,000

DOCUMENT NAME: [20071206fslg01.pdf](#) PURCHASES (1004-01)

APPROVED

51. Request approval to utilize State of Arizona contracts with Am-Pac, Wingfoot Commercial and Purcell Western States for tires and tubes.

COMMENTS: (AD04531-A2-2-A7, 1-A6 and 3-A7) Total amount not to exceed \$200,000.

DOCUMENT NAME: [20071206fsta07.pdf](#) PURCHASES (1004-01)

APPROVED

52. Request approval to utilize an Arizona Counter Drug Procurement Program 1122 contract to purchase a Negotiator Vehicle for use by the Tempe Police Department.

COMMENTS: (#08-107) Total cost for this contract shall not exceed \$300,000.

DOCUMENT NAME: [20071206fsta08.pdf](#) PURCHASES (1004-01)

APPROVED

53. Request approval to utilize a one-year City of Phoenix contract with Motorola, Inc. for 800 MHz digital radio subscriber equipment used by the Fire Department, Police Department and various other City Departments.

COMMENTS: (P03-011) Total amount not to exceed \$1,500,000.

DOCUMENT NAME: [20071206fsts09.pdf](#) PURCHASES (1004-01)

APPROVED

54. Request approval of a one-year renewal of a contract with Basic Chemical Solutions, LLC for lime slurry.

COMMENTS: (T06-079-01) Total amount not to exceed \$200,000.

DOCUMENT NAME: [20071206fsts10.pdf](#) PURCHASES (1004-01)

APPROVED

55. Request approval to increase the contract amount with Rosenbauer America for Fire Department pumper trucks.

COMMENTS: (T07-157-01) Increase in the amount of \$513,000 from \$1,025,000 to \$1,538,000.

DOCUMENT NAME: [20071206fslq11.pdf](#) **PURCHASES (1004-01)**

APPROVED

56. Request to award one-year contracts with four, one-year renewal options to Recreation Design Concepts and Dave Bang Associates Inc. for drinking fountains, grills and bleachers.

COMMENTS: (IFB #08-081) Total cost for this contract shall not exceed \$200,000 during the initial contract period.

DOCUMENT NAME: [20071206fslq12.pdf](#) **PURCHASES (1004-01)**

APPROVED

57. Request approval of a one-year renewal of a contract with Basile, Baumann, Prost & Associates, Inc. for development consultant services.

COMMENTS: (T06-013RB-01) Total amount not to exceed \$100,000.

DOCUMENT NAME: [20071206fslq13.pdf](#) **PURCHASES (1004-01)**

APPROVED

58. Request to award a two-year contract with three, one-year renewal options to The Market Builder for utility and tax bills inserting and delivery services.

COMMENTS: (IFB #08-037RBII) Total cost for this contract shall not exceed \$200,000 during the initial contract period.

DOCUMENT NAME: [20071206fst14.pdf](#) **PURCHASES (1004-01)**

APPROVED

59. Request award of a construction contract to PCL Construction, Inc.; approval of professional services contract with Ricker Atkinson McBee and Morman; and approval of a construction change order allowance for The Pier at Town Lake, Improvement District No.180.

COMMENTS: Construction contract with PCL Construction, Inc. in the amount of \$17,263,548.95; materials testing services contract with Ricker Atkinson McBee and Morman in an amount not to exceed \$60,000; and a construction change order allowance in the amount of \$300,000. All subject to execution of the final written contract/addenda.

DOCUMENT NAME: [20071206PWDR02.pdf](#) IMPROVEMENT
(ASSESSMENT) DISTRICTS (0805-80), IMPROVEMENT DISTRICT NO. 180,
PROJECT NO. 5103011

APPROVED

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *60. This is the **introduction and first public hearing** for an ordinance to amend the Tempe City Code, Chapter 8, relating to Building and Building Regulations, by amending Article I, Section 8-111, to allow rebates of Building Safety fees for improvements on single family residences. **The second public hearing is scheduled for December 13, 2007.**

DOCUMENT NAME: [20071206dssf01.pdf](#) TCC CH 8 – BUILDINGS AND BUILDING
REGULATIONS (0503-08) ORDINANCE NO. 2007.81

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *61. This is the **introduction and first public hearing** to amend Chapter 24 of the Tempe City Code relating to Peddlers, Solicitors and Itinerant Merchants by amending Sections 24-16 and 24-17 and repealing Division 4 relating to Sidewalk Cafes. **The second public hearing is set for December 13, 2007.**

DOCUMENT NAME: [20071206cacc01.pdf](#) TCC CH 24 – PEDDLERS,
SOLICITORS & ITINERANT MERCH (0503-24) ORDINANCE NO. 2007.82

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *62. This is the **introduction and first public hearing** for a Planned Area Development Overlay for ONE HUNDRED MILL AVENUE located at 100 South Mill Avenue. **The second public hearing is scheduled for December 13, 2007.**

COMMENTS: A LEGAL PROTEST HAS BEEN FILED IN THIS MATTER; THEREFORE, A 3/4 COUNCIL MAJORITY (6 of 7) IS REQUIRED FOR APPROVAL. The Development Review Commission (DRC) voted 5-1 in favor of this proposal, with modified conditions, the Historic Preservation Commission voted 7-0 for approval of historic building modification. Staff is recommending approval of the proposal, subject to Conditions 1-9, recommending reduced heights for Phase I different from DRC recommendation. An affirmative vote by 6 of the 7 Councilmembers would result in approval of the project as recommended by staff. (PL070354) (Michael Monti, property owner; Tony Wall, 3W Companies, applicant) for redevelopment of the existing Monti's

La Casa Vieja site, for two new buildings consisting of hotel (300 suites), commercial and residential (230 units), including preservation of a portion of the existing historic building, located at 100 South Mill Avenue in the City Center District, Transportation Overlay District, and a Historic Designated Property. The request includes the following:

PAD07021 – (Ordinance No. 2007.67) Planned Area Development Overlay to modify Transportation Overlay District standards for two (2) buildings with a proposed building height of 300 feet for Phase I and 325 feet for Phase II, and reduce the required parking from 1,306 to 1,051 spaces.

DOCUMENT NAME: [20071206dsr101.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *63. This is the **introduction and first public hearing** for a Code Text Amendment for ZONING AND DEVELOPMENT CODE AMENDMENTS. **The second public hearing is scheduled for December 13, 2007.**

COMMENTS: (PL070433) (City of Tempe Development Services Department, applicant) for changes in the Code related to the incorporation of Outdoor Seating provisions which will repeal the section in the City Code related to "Sidewalk Cafes"; new regulations for Tattoo Shops/Body Piercing; and other miscellaneous revisions. This request includes the following:

ZOA07003 – (Ordinance No. 2007.74) Code Text Amendment for changes within the Zoning and Development Code Sections 3-202, 4-406, 4-903, 4-904, 6-305, 6-402, 6-404, 7-114, 7-120 and 7-121 and adding Sections 3-424 and 3-425.

DOCUMENT NAME: [20071206dsr102.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *64. This is the **introduction and first public hearing** to amend Chapter 21 of the Tempe City Code relating to Nuisances and Property Enhancement. **The second public hearing is set for December 13th, 2007.**

DOCUMENT NAME: [20071206cdjk01.pdf](#) **TCC CH 21 – NUISANCES (0503-21) ORDINANCE NO. 2007.80**

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *65. This is the **introduction and first public hearing** to authorize the Mayor to execute a Special Warranty Deed conveying City Property to Hayden Ferry Lakeside, LLC. **The second public hearing is set for December 13, 2007.**

COMMENTS: The City property consists of approximately 128,363 square feet and is being acquired by Hayden Ferry Lakeside at the price of \$712,263.66 as set forth in the DDA dated April, 3, 2000.

DOCUMENT NAME: [20071206cdnr01.pdf](#) RIO SALADO MASTER PLAN (0112-07-03) ORDINANCE NO. 2007.84

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *66. This is the **introduction and first public hearing** to adopt an ordinance abandoning a public utility easement, located at 505 South College Avenue. **The second public hearing is set for December 13, 2007.**

DOCUMENT NAME: [20071206PWCH17.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2007.88

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *67. This is the **introduction and first public hearing** of an Ordinance authorizing the Mayor to execute a Development and Disposition Agreement, a parking license and various easements with TEMPE RI, LLC for the development of a Marriott Residence Inn on the former Bandersnatch property. **The second public hearing will be held on December 13, 2007.**

DOCUMENT NAME: [20071206cdcm01.pdf](#) COMMUNITY
DEVELOPMENT/REDEVELOPMENT ADM (0403-01) ORDINANCE NO. 2007.87

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR DECEMBER 13, 2007.**

- *68. This is the **introduction and first public hearing** for a Planned Area Development, for EXPRESS CAR WASH located at 1406 West University Drive. **The second public hearing is scheduled for January 10, 2008.**

COMMENTS: (PL070363) (City of Tempe, property owner; Jesse Macias, RHL Design Group, applicant) for a new 3,600 s.f. car wash located on .46 net acres at 1406 W. University Drive, in the CSS, Commercial Shopping and Services District. The request includes the following:

PAD07023 (Ordinance 2007.75) – Planned Area Development Overlay to modify the standards for the parking setbacks from 20' to 7'.

DOCUMENT NAME: [20071206dsdk01.pdf](#) PLANNED DEVELOPMENT
(0406)

**INTRODUCED AND HELD FIRST PUBLIC HEARING
SECOND PUBLIC HEARING SET FOR JANUARY 10, 2008.**

D. Ordinances and Items for Second Hearing/Final Adoption

- *69. This is the **second public hearing** for an ordinance authorizing the Mayor to sign a Covenant and Agreement to Hold Property as One Parcel at the Hackett House.

DOCUMENT NAME: [20071206cdcm02.pdf](#) **DEVELOPMENT PROJECT
(0406) ORDINANCE NO. 2007.78**

APPROVED

- *70. This is the **second public hearing** for a Planned Area Development Overlay for CENTERPOINT ON MILL located at 640 South Mill Avenue.

COMMENTS: (PL060549) (Centerpoint Holdings LLC, property owner; Manjula Vaz, Gammage & Burnham, applicant) for three (3) buildings with residential, a hotel with a health club, and commercial uses; and two (2) ground level plaza buildings. The mixed use buildings range in height from 11, 17 & 20 stories, all within 4.21 acres, located at 640 South Mill Avenue, in the City Center District. The request includes the following:

PAD07019 – Amended Planned Area Development Overlay for Centerpoint on Mill, Lots 2, 4, 5 & 6 to modify development standards for five (5) buildings consisting of 256 hotel suites, 434 dwelling units, and over 108,000 sq. ft. of commercial space within approx. 1,228,099 sq. ft. of total building area.

DOCUMENT NAME: [20071206dsrl04.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *71. This is the **second public hearing** to adopt an ordinance granting two (2) utility easements between the City of Tempe and Arizona Public Service (APS) in conjunction with the Light Rail Project.

DOCUMENT NAME: [20071206PWCH07.pdf](#) **GRANT OF EASEMENTS (0904-02)
ORDINANCE NO. 2007.79**

APPROVED

E. Resolutions

72. Request approval of a resolution to accept grant funding from the Governor's Office of Highway Safety for overtime and the purchase of equipment related to speed detection.

COMMENTS: The award totals \$53,911.
DOCUMENT NAME: [20071206pdsam01.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.97

APPROVED

73. Request approval of a resolution authorizing the transfer of \$31,428.42 of Racketeer Influenced and Corrupt Organization Act (RICO) funds to the Tempe Community Council for Seized Asset Community Action (SACA) summer program grants.

DOCUMENT NAME: [20071206pdsam02.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.98

APPROVED

74. Request approval of a resolution to accept 2007 grant funding from the State of Arizona, Department of Homeland Security for the purchase and sustainment of equipment and supplies for homeland security in Tempe and the surrounding communities.

COMMENTS: The award totals \$130,000.
DOCUMENT NAME: [20071206pdsamr03.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION RESOLUTION NO. 2007.99

APPROVED

75. Request approval of a resolution to accept 2006 grant funding from the State of Arizona, Department of Homeland Security for the purchase and sustainment of equipment and supplies for homeland security in Tempe and the surrounding communities.

COMMENTS: The award totals \$155,000
DOCUMENT NAME: [20071206pdsam04.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.102

APPROVED

76. Request approval of a resolution authorizing the execution of documents necessary to terminate Intergovernmental Agreement C95-110 for special event parking located at the north side of Rio Salado Parkway west of Rural Road.

DOCUMENT NAME: [20071206PWCH08.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03) RESOLUTION NO. 2007.83

APPROVED

77. Request approval of a resolution authorizing the second modification for reallocation of assessments for Playa Del Norte/Miller Road Improvement District No. 179.

DOCUMENT NAME: [20071206PWCH15.pdf](#) **IMPROVEMENT (ASSESSMENT)**
DISTRICTS (0805) RESOLUTION NO. 2007.100

APPROVED

78. Request to adopt a resolution approving the Assessment Diagram for The Pier at Town Lake Improvement District No. 180, City of Tempe Project No. 5103011.

DOCUMENT NAME: [20071206PWCH16.pdf](#) **IMPROVEMENT (ASSESSMENT)**
DISTRICTS (0805-80) RESOLUTION NO. 2007.101, PROJECT NO. 5103011

APPROVED

79. Request approval of a resolution to renew the Intergovernmental Agreement (IGA) between the City of Tempe and Tempe Elementary School District No. 3 (TSD3) which details the agreed respective responsibilities of the School Resource Officer grant program.

DOCUMENT NAME: [20071206pdstj01.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.103

APPROVED

80. Request approval of a resolution to move into an Intergovernmental Agreement (IGA) between the Gila River Indian Community, Glendale Police Department, Phoenix Police Department, Mesa Police Department, and Maricopa County Sheriff's Office for Super Bowl XLII.

DOCUMENT NAME: [20071206pdsam05.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.104

APPROVED

81. Request approval of a resolution to move into an Intergovernmental Agreement (IGA) between the Tempe Police Department and other Law Enforcement Agencies for participation in joint training.

DOCUMENT NAME: [20071206pdsam06.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION RESOLUTION NO. 2007.105

APPROVED

82. Request approval of a resolution authorizing the Mayor to sign a Proclamation designating the National Incident Management System (NIMS) as the basis for all Incident Management in Tempe.

DOCUMENT NAME: [20071206fdcj01.pdf](#)
ADMIN (0605-01) RESOLUTION NO. 2007.108

FIRE/PARAMEDIC SERVICE

APPROVED

6. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed. Comments are aired live and replayed on Tempe Channel 11.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**Agendas are also available at www.tempe.gov/clerk
Watch live at www.tempe.gov/tempe11**